

WEST CHICAGO INTERGOVERNMENTAL FORUM

May 21, 2010

Meeting Minutes

ATTENDEES

Barbara Magel, Counsel for Local Communities
Jamie Geils, WBK Associates, Local Communities
Sally Vargo, Warrenville Resident
Kim Smart, DuPage River Coalition
Emily Larson, City of Warrenville
John Coakley, City of Warrenville
Anthony Charlton, DuPage County
Rob Douglas, DuPage State's Attorney
John Oldenburg, DuPage County Forest Preserve District
Jessi DeMartini, DuPage County Forest Preserve District
Gerald Karr, Illinois Attorney General's Office
Mike Savage, Arcadis
Stephen Shafer, REM LLC, Illinois Emergency Management Agency Contractor
Tim Fischer, U.S. EPA, Superfund
David Seely, U.S. EPA, Superfund
Mary Fulghum, U.S. EPA, Office of Regional Counsel

GENERAL TOPICS

Tim began the meeting by announcing that the bankruptcy court had approved the Interim Settlement Agreement between Tronox and the United States on May 20, so work will begin on Reach 7 of the Kress Creek/West Branch DuPage River and Residential Areas sites immediately. Tim said that EPA was very pleased to have obtained the agreement and Barb Magel and John Oldenburg expressed the appreciation of the local communities for EPA's efforts.

Mary Fulghum also pointed out that EPA had a great team at DOJ helping to facilitate the agreement and that EPA will continue working with them on the global bankruptcy settlement agreement.

KRESS CREEK/WEST BRANCH DUPAGE RIVER SITE

Tim said that a Pre-Construction meeting has been scheduled for Kress Creek on May 24, so we can start work as quickly as possible on Reach 7. We will be discussing the initial mobilization efforts and timing for the start of bypass pumping in Reach 7.

Barb Magel asked if Arcadis and Tronox had entered into a contract for Reach 7. Mike Savage said that Arcadis had signed the Tronox Work Order and it should be signed by Tronox some time today. Mike said that Tronox had just been waiting for the bankruptcy court approval. Barb asked about the status of the escrow account. Tim said that the Interim Settlement Agreement called for the account to be set up within 5 days, and he knew that DOJ was already working on setting up the account, along with Tronox.

Barb asked when meaningful work would begin in Reach 7 that may be visible to community members. Mike Savage said that surveyors would be in the field on Monday to begin surveying the locations of any designated wetlands and staking out the access roads and staging areas. Mike said that as soon as the stakeout was completed, they would contact WBK Engineering to conduct an inspection of the staked out areas.

John Oldenburg pointed out that the DuPage County Forest Preserve will be posting project information signs for the Reach 7 cleanup and the NOAA grant project associated with the Warrenville Dam. The signs will be posted along the Prairie Path to provide information to the public during the projects.

Tim completed the Reach 7 update by relaying the fact that EPA will now begin looking at ways to expedite the Reach 8 cleanup immediately. Tim reminded everyone that we are faced with the challenge of completing the Reach 8 cleanup with the potential lag in DOE reimbursement funds. Tim said that EPA is interested in completing the Reach 8 cleanup as quickly as possible to avoid cost increases and wrap up work at the REF.

John Oldenburg asked if there were any update on the selection of a Trustee for the West Chicago sites. Mary Fulghum and Barb Magel said that issue is still being worked, and that there should be some update in the next few weeks.

John Oldenburg asked if the contamination in Reach 4 of Kress Creek under the Route 59 bridge would be addressed this year. Tim said that work will be delayed until some time in the future. Mike Savage added that a Work Plan has been submitted for this work and Arcadis plans to get it approved and "on the shelf" so it can be completed when funding is available.

RESIDENTIAL AREAS SITE

David said that he had started working with EPA staff to put together data packages for affected homeowners, and he expected that the first of the packages would go out in a couple of weeks. David said that he had spoken to Arcadis and Tronox at the last construction meeting and they had agreed that the Residential Areas cleanups would be timed to take advantage of scheduled "down times" associated with Reach 7 during the summer.

David said that he expected that Tronox and Arcadis would begin meeting with some of the homeowners right after EPA sends out the data packages so they can start planning cleanup activities and get the required access agreements and Work Orders signed.

David said that he expected this process would work very much like it has in the past. David expects that we will begin reaching out to homeowners for access some time in June.

Mike agreed that June would be the time frame for obtaining Work Orders and access agreements, and that he anticipates actual removal activities in July and August.

Barb asked if there were any plans to conduct further sampling this summer at residential properties. David said that EPA would conduct further sampling, but he wanted to focus on getting the data packages out to facilitate removal activities first. David said that he still has the contractor available for sampling, but the same people putting the data packages together will be helping David put together sampling plans for some properties.

OTHER ISSUES

Gerry Karr asked if there were any plans to conduct a site tour during the cleanup, as in the past. Tim said that there were EPA staff from the redevelopment office who would like to visit the site, and EPA plans to conduct that visit some time in June. Tim said that his management would also like to visit the site after bypass pumping has begun. That tour will probably be conducted in early July.

Update on NOAA Grant Projects

John Oldenburg said that the Forest Preserve District was working with Tronox on a Memorandum of Understanding regarding the “rock blanket” and the notching of the Warrenville Dam related to Reach 7. John said that the MOU was near completion.

John asked Tony Charlton for an update on the NOAA MOU with the Illinois Historic Preservation Association regarding the removal of the Warrenville Dam. Tony said that the substantive requirements had been worked out, but there would be a significant delay in getting NOAA signatures on the MOU. For that reason, Tony said that the DuPage County Forest Preserve District was working on a contingency plan to conduct the required historic documentation before the MOU is signed by NOAA. John Oldenburg added that the project to remove the dam will follow immediately after the completion of the Reach 7 CERCLA work.

John Oldenburg said that extensive photo documentation of the Warrenville Dam and Reach 7 is being conducted by air and land to document the “before” and “after” conditions of the Reach 7 cleanup and dam removal. Tim said that he would be interested in obtaining some of those photos for EPA’s records as well.

NEXT FORUM MEETING

The next meeting of the West Chicago Intergovernmental Forum is scheduled for **Friday, June 25, 2010, at 10 a.m.** in West Chicago City Council Chambers, West Chicago.